APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,534	03/21/2000	Hemant Madan	017.38083X00	7125

22907	7590	09/08/2006	

BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

EXAMINER
BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/531,534	MADAN ET AL.
	Examiner	Art Unit	
	Douglas B. Blair	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 July 2006._

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-35_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-35_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION.

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 7/31/2006 has been entered.

2.   Claims 1-35 are currently pending in the application.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-2, 12, 20, and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by

U.S. Patent Number 6,209,026 to Ran et al..

5.   As to claim 1, Ran teaches a method of managing real-time data for a user terminal,

comprising: a content server receiving information from the at least one content provider (col. 5,

lines 17-36); sending at least one portion of the information to the user terminal for display on

the user terminal (col. 6, lines 26-41); the content server determining if any of the at least one

portion of the information has changed, by identifying one or more differences between the at

least one portion of the information and prior information previously stored in the data store of

the content server (col. 12, lines 17-51, the warning identifies information that has changed);

updating in the data store the information form the at least one content provider that has changed

(col. 12, lines 17-51); and transmitting to the user terminal only the information from the at least

one content provider that has changed, the changed information being real-time information (col.

12, lines 17-51).

6.   As to claim 2, Ran teaches the method recited in claim 1, wherein the information

comprises a plurality of real-time data values from the content provider (col. 12, lines 17-51).

7.   As to claim 12, Ran teaches a computer program executable by computer and embodied

on a computer readable medium for receiving a plurality of real-time data values from at least

one content provider and transmitting the real-time data values to at least one user terminal,

comprising: a user terminal code segment to receive real-time data values (col. 5, lines 17-36);

and a real-time data server code segment to receive real-time data values from at least one

content provider, to determine if any of the real-time data values have changed from prior real-

time data values by identifying one or more differences between the real-time data values and the

prior real time data values and transmit the changed real-time data values to at least one user

terminal when any of the real-time data values have changed from the prior real time data values

(col. 12, lines 17-51).

8.   As to claim 20, it features the same limitations as claim 12 and is thus rejected on the

same basis as claim 12.

9.   As to claims 28-29, they feature similar limitations to claims 1-2 and are rejected for the

same reasons as claims 1-2.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

11.   Claims 3-4, 13, 15-17, 21, 23-25, 30 and 35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent Number 6,209,026 to Ran et al. in view of U.S. Patent Number

6,073,075 to Kondou.

12.   As to claim 35, Ran teaches a real-time server computer comprising memory storing

computer executable code modules that, when executed by the real-time server computer,

together provide a real-time data delivery service, each said code comprising computer

executable instructions stored in memory, said code modules comprising: a source filter server

module that receives data form a real-time content provider and stores the received data in a

keyed database (col. 12, lines 17-51); a real-time server module comprising submodules

including a client connection submodule that establishes a data server thread connection with a

remote mobile terminal (col. 12, lines 17-51); wherein when any data server thread connection

receives a key request form a remote mobile terminal, the real-time data server module performs

a method including querying a keyed database for corresponding data (col. 12, lines 17-51);

determining whether the queried data differs from data previously sent to the remote terminal

(col. 12, lines 17-51); and when the queried data differs from data previously sent to the remote

mobile terminal, the queried data is sent to the remote mobile terminal, otherwise the queried

data is not sent to the remote mobile terminal (col. 12, lines 17-51); and a web engine server

module that communicates formatted data to the remote mobile terminal based on the queried

data (col. 12, lines 17-51); however Ran does not explicitly teach a hash table.

Kondou teaches a method of accessing a hash table containing a plurality of prior real-

time data values using a plurality of keys associated with the plurality of real-time data values

(col. 12, lines 21-44).

It would have been obvious to one of ordinary skill in the Computer Networking art at the

time of the invention to combine the teachings of Ran regarding the provision of real-time

information from a plurality of content providers with the teachings of Kondou regarding the use

of a hash table to store real-time data values because a hash table is an efficient data structure for

storing database information.

13.   As to claim 3, Ran teaches the method recited in claim 2, wherein the updating of

information from the content provider further comprises: accessing a table containing a plurality

of prior real-time data values using a plurality of keys associated with the plurality of real-time

data values (col. 16, lines 41-59); determining whether the plurality of real-time data values

received form content provider has changed form the prior plurality of real-time data values

contained in the table (col. 16, lines 41-59); and updating the prior plurality real-time data

contained in the hash table with the plurality of real-time values received form the content

provider when the plurality of real-time data values received form content provider has changed

form the plurality of prior real-time data values contained in the table (col. 16, lines 41-59);

however Ran does not explicitly teach a hash table.

Kondou teaches a method of accessing a hash table containing a plurality of prior real-time data values using a plurality of keys associated with the plurality of real-time data values (col. 12, lines 21-44).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Ran regarding the provision of real-time information from a plurality of content providers with the teachings of Kondou regarding the use of a hash table to store real-time data values because a hash table is an efficient data structure for storing database information.

14.   As to claim 4, Kondou teaches a method wherein the transmitting of the plurality of real-time data values that have been updated in the hash table to the user terminal further comprises: activating a data thread when a real-time data value of the plurality of prior real-time data values is updated in the hash table (col. 7, lines 2-67 and col. 8, lines 1-3, Information server runs data thread to track the position of the user.); determining the position on a screen in the user terminal corresponding to the real-time data value (col. 5, lines 58-67 and col. 6, lines 1-11); transmitting the real-time data value to the user terminal (col. 15, lines 6-37); and displaying the real-time data value on the screen in the user terminal in the position indicated (col. 15, lines 6-37).

15.   As to claim 13, Ran teaches the computer program of claim 12, wherein the real-time data server code segment further comprises: a table for storing the prior real-time data values and being updated when the real-time data values form the content provider have changed from the prior real-time data values (col. 16, lines 41-59); however Ran does not explicitly teach a hash table.

Kondou teaches a method of accessing a hash table containing a plurality of prior real-time data values using a plurality of keys associated with the plurality of real-time data values (col. 12, lines 21-44).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Ran regarding the provision of real-time information from a plurality of content providers with the teachings of Kondou regarding the use of a hash table to store real-time data values because a hash table is an efficient data structure for storing database information.

16.   As to claim 15, Ran teaches a real-time data server comprising a source filter server moule code segment to receive real-time data values from a content provider (col. 12, lines 17-51) and determine if the real-time data values have changed from prior real-time data values stored, and activate a data thread code segment when the real-time data values have changed from prior real-time data values (col. 12, lines 17-51).

17.   As to claim 16, Ran teaches a real time data server module code segment to communicate between the user terminal code segment and the source filter server module code segment through the data server thread code segment (col. 12, lines 17-51).

18.   As to claim 17, Ran teaches a source filter module comprising a code segment to receive the real-time data values from the content providers and update a table (col. 12, lines 17-51).

19.   As to claims 21 and 23-25, these claims feature the same limitations as claims 13 and 15-17, respectively, and are thus rejected on the same basis as claims 13 and 15-17.

20.   As to claim 30, it is rejected for the same reasons as claim 3.

21.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

Number 6,209,026 to Ran et al. in view of U.S. Patent Number 6,073,075 to Kondou et al. as

applied to claim 4, in further view of U.S. Patent Number 6,442,565 to Tyra et al..

22.   As to claim 5, the Ran-Kondou combination teaches the method recited in claim 4;

however the Ran-Kondou combination does not explicitly teach the use of remote method

invocation.

         Tyra teaches a method for updating data using a data thread that is activated by using

remote method invocation (col. 3, lines 50-67 and col. 4, lines 1-8).

         It would have been obvious to one of ordinary skill in the Computer Networking art at the

time of the invention to combine the teachings of Ran-Kondou regarding updating real-time data

on a terminal with the teachings of Tyra regarding the use of remote method invocation because

remote method invocation reduces the amount of data transmitted across the network (Tyra, col.

3, lines 30-41).

23.   Claims 6-11, 14, 18-19, 22, 26-27, and 31-34 are rejected under 35 U.S.C. 103(a) as

being unpatentable over U.S. Patent Number 6,209,026 to Ran et al. in view of U.S. Patent

Number 6,073,075 to Kondou et al., in further view of U.S. Patent Number 6,173,316 to De Boor

et al..

24.   . As to claim 6, Kondou teaches requesting a connection by the user terminal (col. 10, lines

41-48); spawning a data server thread (col. 7, lines 2-67 and col. 8, lines 1-3, Information server

runs data thread to track the position of the user.); retrieving a user defined portfolio by the data

thread containing a plurality of keys (col. 10, lines 41-48); and monitoring the plurality of keys

contained in the user defined portfolio and identifying currently active keys of said of the

plurality of keys (col. 5, lines 36-57); however Kondou does not teach the generation of HTML

containing embedded applets.

Ran teaches the use of HTML for downloading information to a user terminal (col. 16,

lines 41-59); however Ran does not teach the use of applets.

De Boor teaches generating activated HTML page containing an embedded applet and

downloading to a user terminal (col. 4, lines 45-60).

It would have been obvious to one of ordinary skill in the Computer Networking art at the

time of the invention to combine the teachings of the Ran-Kondou combination regarding

updating real-time data on a terminal with the teachings of De Boor regarding the use of HTML

and applets because the use of markup languages in wireless devices allows seamless integration

to the Internet (De Boor, col. 4, lines 61-67 and col. 5, lines 1-15).

25.   As to claim 7, Kondou teaches a method comprising reading the currently active keys

(col. 5, lines 36-57); determining if the currently active keys have changed (col. 7, lines 2-67 and

col. 8, lines 1-3); updating the hash table with the real-time data values for currently active keys

(col. 7, lines 2-67 and col. 8, lines 1-3); and downloading real-time values for the currently active

keys that have changed from the hash table to the user terminal (col. 7, lines 2-67 and col. 8,

lines 1-3).

26.   As to claim 8, De Boor teaches disconnecting all connections to the user terminal when

the shutdown request was made (col. 59, lines 23-34); however De Boor does not explicitly teach

a method of determining whether a shutdown request was made.

Official notice is taken that the idea determining whether a shutdown request was made

was well known in the Computer Networking art at the time of the invention.

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of De Boor regarding disconnecting connections with the determining whether a shutdown request was made because allowing a user to shutdown a device saves energy.

27.   As to claim 9, Kondou teaches a method of retrieving the plurality of real-time data values on a periodic basis (col. 7, lines 18-21).

28.   As to claim 10, Kondou teaches a method for notifying a data server thread when a real-time data value of the plurality of data has changed (col. 7, lines 2-67 and col. 8, lines 1-3).

29.   As to claim 11, Kondou teaches a method informing the data server thread of a plurality of new active keys (col. 7, lines 2-67 and col. 8, lines 1-3); receiving the plurality of real-time data values from the data server thread (col. 7, lines 2-67 and col. 8, lines 1-3); and updating the screen on the user terminal associated with each time data value of the plurality of real-time data values (col. 15, lines 6-37).

De Boor teaches a method of activating an embedded applet received from a data server thread in the user terminal and determining whether a page change is required (col. 59, lines 23-34).

30.   As to claim 14, Ran teaches a web engine server module code segment to access a database having a portfolio generated by a user and generate an HTML page, wherein upon receipt of a connection request from the user terminal the web engine server module code segment downloads the HTML page to the user terminal code segment (col. 16, lines 41-59); however Ran does not teach the use of an applet with HTML.

De Boor teaches downloading an applet to use with HTML on a wireless terminal (col. 4, lines 45-60).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of the Ran-Kondou combination regarding updating real-time data on a terminal with the teachings of De Boor regarding the use of HTML and applets because the use of markup languages with applets in wireless devices allows seamless integration to the Internet (De Boor, col. 4, lines 61-67 and col. 5, lines 1-15).

31.   As to claim 18, Ran teaches a terminal comprising a HTML page to display the user terminal code segment to update the user terminal code segment when the time data values are received from a server (col. 16, lines 41-59); however Ran does not teach the use of an applet or JavaScript with HTML.

De Boor teaches downloading an applet to use with HTML on a wireless terminal (col. 4, lines 45-60).; however; De Boor does not explicitly teach the use of JavaScript.

Official notice is taken that it was well known in the Computer Networking art to combine JavaScript code with HTML at the time of the invention.

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of the Ran-Kondou combination regarding updating real-time data on a terminal with the teachings of De Boor regarding the use of HTML and applets because the use of markup languages with applets in wireless devices allows seamless integration to the Internet (De Boor, col. 4, lines 61-67 and col. 5, lines 1-15).

32.   As to claim 19, Ran teaches a web engine server module comprising: a web server module code segment to communicate to the user terminal code segment and retrieve a portfolio

specified by the user terminal code segment from a database (col. 16, lines 41-59); and a

pagination engine module code segment, in communication with the web server module code

segment, to create the HTML page segment based on the portfolio selected and the size of the

screen on a user terminal (col. 16, lines 41-59); however Ran does not teach the use of an applet

with HTML.

De Boor teaches downloading an applet to use with HTML on a wireless terminal (col. 4,

lines 45-60).

. It would have been obvious to one of ordinary skill in the Computer Networking art at the

time of the invention to combine the teachings of the Ran-Kondou combination regarding

updating real-time data on a terminal with the teachings of De Boor regarding the use of HTML

and applets because the use of markup languages with applets in wireless devices allows

seamless integration to the Internet (De Boor, col. 4, lines 61-67 and col. 5, lines 1-15).

33.   As to claim 22 and 26-27, they feature the same limitations to claims 14 and 18-19,

respectively, and are thus rejected on the same basis as claims 14 and 18-19.

34.   As to claims 31-34, they are rejected for reasons pointed out above.

Response to Arguments

35.   Applicant's arguments filed 7/31/2006 have been fully considered but they are not

persuasive. The applicant argues that Ran does not teach or suggest how real-time traveler

information is processed to derive personalized warnings. However the claim language is not

directed specifically towards personalized information. Rather the claim language is directed

towards providing updates of new real-time information, a concept taught by Ran in the form of

Ran's warnings. Ran teaches personalization in that the warnings are for user's traveling within a specific area but Ran does not go into the specific details of personalization. Since the claims do not limit the applicant's invention to a specific form of personalization, the rejections based on Ran are maintained. It is suggested by the Examiner that the applicant claim this personalization concept more specifically in order to overcome the rejections based on Ran.
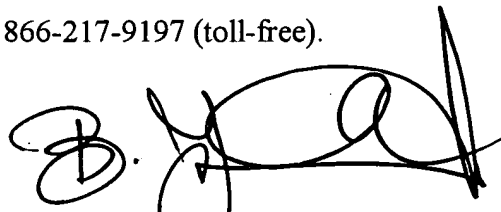
Conclusion

36.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER